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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Alan J. Lipton et al.

Art Unit: 2621

Application No: 10/766,949

Examiner: G. S. Philippe

Confirmation No: 2493

Atty. Docket No: 37112-192025

Filed: January 30, 2004

Customer No:

For: VIDEO-BASED PASSBACK EVENT
DETECTION

26694

PATENT TRADEMARK OFFICE

REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATTENTION: Mail Stop Refunds

Dear Sir:

At the time of filing the Amendment, and paying the Issue Fee in the above-referenced application on September 21, 2007 and January 9, 2008, respectively, large-entity additional claims fee of \$250.00, independent claims fee of \$2000.00 and the Issue Fee of \$1,440.00, totaling \$3,690.00, were paid. Payment of the large-entity fees was in error because Applicant and Assignee were entitled to small-entity status. Applicants, therefore, respectfully request a refund in the amount of \$1,845.00, representing the amount of the overpayment. Copies of the stamped Fee Transmittal filed on September 21, 2007 indicating payment of the \$2,250.00, and stamped Fee Transmittal filed January 9, 2008 indicating payment of the \$1,440.00, are attached. A statement for the Deposit Account No. 22-0261 indicating that \$2,250.00 was charged thereto on September 24, 2007 and \$1,440.00 was charged thereto on January 10, 2008 is also enclosed.

The Application Data Sheet that was filed concurrently with the application, and the Supplemental Application Data Sheet that was filed on August 5, 2004, also noted incorrectly

1501

Application No.: 10/766,949

Docket No.: 37112-192025

that the Applicant was not a small entity. Accordingly, a Supplemental Application Data Sheet is also being submitted herewith.

Please refund the difference in the government fees (in the amount of \$1,845.00) between a small entity and a large entity by crediting the refunded amount to our Deposit Account No. 22-0261, and notify the undersigned accordingly.

Dated: 10/2/2008

#303671

Respectfully submitted,

By Steve Schwan

Michael A. Sartori, Ph.D.

Registration No.: 41,289

VENABLE LLP

P.O. Box 34385

Washington, DC 20043-9998

(202) 344-4000

(202) 344-8300 (Fax)

Attorney/Agent For Applicant

2007

09/21 218	11902306	89535-250116	1201	\$200.00	\$86
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09/24 337	11902465	61368-251269	1311	\$200.00	\$69

2008

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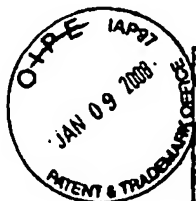
Approved for use through 06/30/2010. OMB 0651-0032
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
 Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/01/2004. Fees pursuant to the Consolidated Appropriations Act, 2003 (H.R. 4614). FEE TRANSMITTAL For FY 2007		Complete if Known Application Number 10/768,949-Conf. #2493 Filing Date January 30, 2004 First Named Inventor Alan J. Lipton Examiner Name G. S. Philippe Art Unit 2613 Attorney Docket No. 37112-192025	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
TOTAL AMOUNT OF PAYMENT	(\$) 2,250.00		

METHOD OF PAYMENT (check all that apply)	
<input type="checkbox"/> Check <input checked="" type="checkbox"/> Deposit Account <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify):	Deposit Account Number: 22-0261 Deposit Account Name: Venable LLP For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Credit any overpayments

FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		Small Entity		Small Entity		Small Entity	
Application Type	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
2. EXCESS CLAIM FEES							
Fee Description						Small Entity	
						Fee (\$)	Fee (\$)
Each claim over 20 (including Reissues)						50	25
Each independent claim over 3 (including Reissues)						200	100
Multiple dependent claims						360	180
Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims			
45	5	50.00	250.00	Fee (\$)	Fee Paid (\$)		
HP = highest number of total claims paid for, if greater than 20.							
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)				
16	10	200.00	2,000.00				
HP = highest number of independent claims paid for, if greater than 3.							
3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)			
	- 100 =	/50 =	(round up to a whole number) =				
4. OTHER FEE(S)							
Non-English Specification, \$130 fee (no small entity discount)							
Other (e.g., late filing surcharge):							

SUBMITTED BY			
Signature	<i>[Signature]</i>	Registration No. (Attorney/Agent)	41,289/53,825
Name (Print/Type)	Michael A. Sartori, Ph.D./Marina V. Zalevsky	Telephone	(202) 344-4004
		Date	September 21, 2007



Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4218). FEE TRANSMITTAL For FY 2008		Complete if Known	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number 10/766,949-Conf. #2493	Filing Date January 30, 2004
TOTAL AMOUNT OF PAYMENT (\$) 1,740.00		First Named Inventor Alan J. Lipton	Examiner Name G. S. Philippe
		Art Unit 2613	Attorney Docket No. 37112-192025

METHOD OF PAYMENT (check all that apply)	
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____	<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 22-0261 Deposit Account Name: Venable LLP
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		<small>Small Entity</small> Fee (\$)		<small>Small Entity</small> Fee (\$)		<small>Small Entity</small> Fee (\$)	Fees Paid (\$)
Application Type	Fee (\$)		Fee (\$)		Fee (\$)		
Utility	310	155	510	255	210	105	
Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	105	0	0	0	0	
2. EXCESS CLAIM FEES							
						<small>Small Entity</small> Fee (\$)	Fee (\$)
Fee Description Each claim over 20 (including Reissues)						50	25
Each independent claim over 3 (including Reissues)						210	105
Multiple dependent claims						370	185
Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)	
HP = highest number of total claims paid for, if greater than 20.							
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)				
HP = highest number of independent claims paid for, if greater than 3.							
3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)			
_____ - 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____							
4. OTHER FEE(S)							
Non-English Specification, \$130 fee (no small entity discount)						Fees Paid (\$)	
Other (e.g., late filing surcharge): Issue Fee & Publication Fee						\$1,740.00	

SUBMITTED BY			
Signature 	Registration No. (Attorney/Agent) 41,268/ 53,825	Telephone (202) 344-4000	
Name (Print/Type) Michael A. Sartori, Ph.D./Marina V. Zalevsky	Date January 9, 2008		



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Alan J. LIPTON et al.

Appl. No. 10/766,949
Confirmation No. 2493

Filed: January 30, 2004

For: VIDEO BASED PASSBACK
EVENT DETECTION

Art Unit: 2613

Examiner: Gims S. Philippe

Atty. Docket No. 37112-192025

Customer No.

26694

PATENT TRADEMARK OFFICE

AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated July 19, 2007, please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Amendments to the Abstract are reflected on page 16 of this paper.

Remarks/Arguments begin on page 17 of this paper.

11/18/2008 SDIRETA1 00000008 220261 10766949

01 FC:2202 125.00 DA
02 FC:2201 1000.00 DA

09/24/2007 MBELETE1 00000119 220261 10766949

01 FC:1201 2000.00 DA
02 FC:1202 250.00 DA